

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**LAURA MAREZ,**

**Plaintiff,**

**V.**

**JO ANN BARNHART,**

**Commissioner of Social Security,  
Defendant.**

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**MISC NO. C-06-103**

**ORDER GRANTING MOTION FOR LEAVE TO PROCEED  
WITHOUT PREPAYMENT OF THE FILING FEE AND ORDER TO MAKE  
MONTHLY PAYMENTS**

Plaintiff has moved for leave to proceed with her social security appeal *in forma pauperis* (D.E. 1). A hearing was held on plaintiff's motion on Wednesday, March 21, 2007. At the hearing plaintiff stated that she receives \$230 per month SSI income as well as \$100 per month from her father. She lives with her mother and her father pays for her medical insurance and medications. Plaintiff has approximately \$700 in a savings account. Plaintiff can pay the filing fee in installments.

Accordingly, plaintiff's motion for leave to proceed without prepayment of the filing fee is GRANTED. The Clerk shall file plaintiff's complaint. Plaintiff is ordered to pay the \$350 filing fee in monthly installments of no less than \$10 per month. The first payment is due on or before April 5, 2007. Thereafter, payments are due on or before the fifth day of

each month until paid in full. Failure to timely make a payment without showing cause why plaintiff cannot pay is grounds for dismissal of the complaint for want of prosecution. Fed. R. Civ. P. 41(b).

The Clerk shall file plaintiff's complaint, and the United States Marshal shall serve the summons and complaint.

ORDERED this 21<sup>st</sup> day of March, 2007.



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B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE